

REMARKS

Claims 1-12 are pending in this application. By this Amendment, claims 1 and 9 are amended. The amendments introduce no new matter as they are made in response to an objection raised in the Office Action and in order to correct informalities which Applicants' representative discovered in preparing this response. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, in paragraph 1, objects to claim 9 because of an informality. Specifically, the Office Action points out that the word "adjacent" is misspelled. Claim 9 is amended to obviate the objection. Withdrawal of the objection to claim 9 is respectfully requested.

The Office Action, in paragraph 2, asserts a Restriction Requirement. In reply to this Restriction Requirement, Applicants provisionally elect Group I, claims 1-6, 9 and 10, with traverse.

First, Applicants respectfully submit that it is unreasonable at this point in prosecution for the Patent Office to assert a Restriction Requirement regarding the above-identified application because all of the pending claims have already been examined on the merits. Specifically, on November 5, 2003, a non-final Rejection was issued in this matter which rejected all of claims 1-12. Clearly, all of the claims had been once examined on the merits. The Office Action clearly recognized the differences in the features which are currently being asserted to require Applicants to elect a single group of claims. Applicants filed a Request for Reconsideration on December 31, 2003 in reply to the outstanding Office Action addressing all of the claims.

Because time and effort have already been expended by both the Examiner and Applicants, it would clearly be a waste of Patent Office and Applicants resources to now require Restriction.

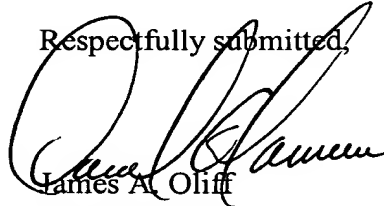
Second, Applicants consider that the features of claims 1 and 7 are closely enough related that they can reasonably continue to be examined together. Applicants respectfully submit that the subject matter of all claims 1-12 is sufficiently related that a thorough search of the subject matter of any one of the enumerated groups of claims would necessarily encompass a search for the subject matter of the remaining groups. Further, Applicants respectfully submit that such a search for the subject matter of all claims has previously been accomplished as evidenced by the November 5, 2003 Office Action noted above. Thus it is respectfully submitted that a search and examination of the entire application could be performed, and in this case has been performed, without serious burden. Applicants respectfully submit, with reference to MPEP §803, that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to independent or distinct inventions" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office. Further, based on the fact that this application has been once examined on the merits, and that Applicants did not amend the claims thereby changing the relationship of these claims to one another, it is difficult for Applicants to understand how the Patent Office can assert additional burden beyond that already undertaken. Thus, withdrawal of the Restriction Requirement is respectfully requested.

Should the Examiner maintain the Restriction Requirement, Applicants request supervisory review of this issue.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Daniel A. Tanner, III
Registration No. 54,734

JAO:DAT/fpw

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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